

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FOURIER ROSS,

Plaintiff,

vs

Case No.: 11-10787
Honorable Victoria A. Roberts

OAKLAND UNIVERSITY,

Defendant,

_____ /

ORDER

Before the Court is Defendant Oakland University's Motion for Summary Judgment (Doc. #21).

The Court denies this motion; there are material questions of fact for a jury to decide. These questions of fact include but are not limited to:

Whether Plaintiff's position was correctly described and classified, what his job duties were; whether he qualified for a higher salary, whether the Mercer report was used to treat Plaintiff differently from similarly situated Caucasians; and, whether Defendant's articulated reasons for the actions taken with respect to Plaintiff, are pretextual.

Defendant's Motion is **DENIED**.

IT IS ORDERED.

/s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: May 21, 2012

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on May 21, 2012.

S/Linda Vertriest _____
Deputy Clerk